

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

MELVIN JR. BAILEY,

Plaintiff,

vs.

NEVADA PAROLE & PROBATION, *et al.*,

Defendants.

Case No.: 2:22-cv-01822-GMN-BNW

**ORDER**

Pending before the Court is the Report and Recommendation, (ECF No. 18), of United States Magistrate Judge Brenda N. Weksler, which recommends dismissing the case.

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a *de novo* determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. R. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (citing 28 U.S.C. § 636(b)(1)). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s report and recommendation where no objections have been filed. *See, e.g., United States v. Reyna–Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

Here, no objections were filed, and the deadline to do so has passed. (*See* R&R, ECF

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No. 18) (setting a May 1, 2023, deadline for objections).<sup>1</sup>

Accordingly,

**IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 18), is **ADOPTED in full**.

**IT IS FURTHER ORDERED** that the case is **DISMISSED**.

**IT IS FURTHER ORDERED** that Plaintiff's Motion to Expedite Trial (ECF No. 6) is **DENIED as moot**. The Clerk of Court is instructed to close the case.

Dated this 24 day of July, 2023.



Gloria M. Navarro, District Judge  
United States District Court

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<sup>1</sup> On May 31, 2023, the Court noted that the April 17, 2023, R&R was not successfully delivered to Plaintiff and returned as "undeliverable." (May 31, 2023, Minute Order, ECF No. 22). The Court thus permitted Plaintiff to file any objections to the R&R by June 23, 2023 (*Id.*). The Court additionally instructed the Clerk of Court to mail Plaintiff a copy of the R&R and the May 31, 2023, Minute Order to the mailing address on file. (*Id.*). However, the attempt to deliver the documents to Plaintiff was unsuccessful, and the Court received notice that Plaintiff had been paroled. Under Local Rule IA 3-1, "An attorney or pro se party must immediately file with the court written notification of any change of mailing address, email address, telephone number, or facsimile number. . . . Failure to comply with this rule may result in the dismissal of the action, entry of default judgment, or other sanctions as deemed appropriate by the court." In accordance with LR IA 3-1, the Court entered a second Minute Order providing Plaintiff an additional thirty day to file a notice of address—the Court warned Plaintiff that failure to do so may result in the dismissal of his case. (*See* June 23, 2023, Minute Order, ECF No. 25). The additional time provided to Plaintiff to update his address and file any objections to the R&R has passed.